

UNITED STATES DISTRICT COURT  
Middle District of North Carolina

DEBORAH S. TRIVETTE, )  
Plaintiff, )  
 )  
v. ) #1:04CV449  
 )  
JO ANNE B. BARNHART, )  
Commissioner of Social Security, )  
Defendant. )

**J-U-D-G-M-E-N-T**

On July 18, 2005, in accordance with 28 U.S.C. § 636(b), the Recommendation of the United States Magistrate Judge was filed and served on the parties in this action and a copy was given to the court. No objections were received by the court within the time prescribed by the statute.

The court hereby adopts the Magistrate Judge's Recommendation.

**IT IS THEREFORE ORDERED AND ADJUDGED** that the Plaintiff's motion for summary judgment [Pleading no. 10] be **DENIED**, that the Commissioner's motion for judgment on the pleadings [Pleading no. 14] be **GRANTED**, that the Commissioner's decision is **AFFIRMED**, and that this action be dismissed with prejudice.

This the day of August 10, 2005

/s/ N. Carlton Tilley, Jr.  
United States District Judge